

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDNA MOORE, et al.,

Plaintiffs,

Case No. 14-11903

Hon. Matthew F. Leitman

v.

RUTH JOHNSON, et al.,

Defendants.

ORDER ON STATUS CONFERENCE

On May 13, 2014, the Court held a telephonic status conference with counsel for all parties to discuss the status of the action. Based on the Court's discussion with all counsel, **IT IS HEREBY ORDERED THAT:**

- During the status conference, counsel for each Defendant indicated that they were in personal possession of a copy of Plaintiffs' Complaint. If and to the extent Plaintiffs have not formally served their Complaint upon the Defendants, they shall do so forthwith;
- In the event Plaintiffs desire to file any Motion for Temporary Restraining Order and/or Preliminary Injunction, they shall do so no later than **Thursday, May 15, 2014, at 12:00 p.m.;**

- Defendants shall file any response to a Motion for Temporary Restraining Order and/or Preliminary Injunction no later than **Tuesday, May 20, 2014, at 10:00 a.m.**;
- The Court will hold a hearing on any Motion for Temporary Restraining Order and/or Preliminary Injunction filed by Plaintiffs on **Wednesday, May 21, 2014 at 9:30 a.m. in Courtroom 242**;
- The Court will hold a telephonic status conference with all counsel of record in this matter (and all counsel of record in the companion case, *Davis v. Johnson et al.*, Case No. 14-cv-11818) on **Monday, May 19, 2014 at 2:30 p.m.**, to discuss (1) the final determination issued by Wayne County Clerk Cathy Garrett dated May 13, 2014, concluding her office's investigation into challenges filed by Richard Jones, Jr., against the nominating petitions submitted by Congressman John Conyers, Jr., and declaring certain petition signatures disqualified pursuant to MCL §168.544c (the same statute at issue in this action); (2) whether there has been an appeal of Clerk Garrett's final determination to the Michigan Secretary of State, and, if so, the status of that appeal; and (3) if an appeal has been filed with the Michigan Secretary of State, (a) the effect of such an appeal on this action, and (b) whether the Court should proceed with the hearing set forth above;

- Prior to the May 19, 2014, status conference, counsel for all parties shall meet and confer in an attempt to determine if there are any factual disputes that need to be resolved with respect to any potential motion for temporary restraining order and/or preliminary injunction, and, if so, whether any party intends to present live witness testimony on the disputed factual issues at the May 21, 2014, hearing. The parties are directed to report to the Court on the existence of any factual disputes and the potential for live witness testimony during the May 19, 2014, telephonic status conference; and
- During the May 13, 2014 status conference, the Court indicated that its service on the board of an organization overlapped, at least in part, with the service on the same board by attorney Mary Ellen Gurewitz, one of four lawyers (along with Brooke A. Merriweather-Tucker , Daniel S. Korobkin, and Michael J. Steinberg) representing Plaintiffs in this matter. The Court disclosed this service out of an abundance of caution and expressed its view that this past service would in no way influence the Court in this matter and did not warrant the Court's recusal. During the status conference, all parties were given an opportunity to raise any objections regarding the Court's continued handling of this action. No objections were raised. In the event any

party wishes to raise an objection, it must file such an objection no
later than **Thursday, May 15, 2014 at 5:00 p.m.**

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: May 14, 2014

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 14, 2014, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(313) 234-5113